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Atty. Dkt. No. 066683-0196

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert MARTUZA et al.
Title: **REPLICATION-COMPETENT HERPES SIMPLEX
VIRUS MEDIATES DESTRUCTION OF NEOPLASTIC
CELLS**
Appl. No.: 10/748,233
Filing Date: 12/31/2003
Examiner: Wu Cheng Winston Shen
Art Unit: 1632
Confirmation Number: 7116

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. Some documents submitted herewith are made of record in copending Application No. 11/097,391.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b),
Before the mailing of a first Office action after the filing of a Request for Continued Examination
under §1.114.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner
and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be
returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is
hereby authorized to charge any additional fees which may be required for this Request to Deposit
Account No. 19-0741.

Respectfully submitted,

Date 27 January 2009

By S. A. Bent

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